



**Townsend Town Council Meeting
December 7th, 2022 @ 7:00 pm
VIA CONFERENCE CALL &
Town Hall
141 Main St, Townsend, DE 19734**

7:00 pm Town Council Meeting

- I. Call to Order: 7 pm
- II. Opening Ceremonies

- A. Roll Call: Mayor S. Lobdell,
Councilwoman S. Rojas,
Councilwoman E. Clarke,
Councilman J. Mertz,
Councilman E. Dugan,

Town Engineer E. Van-Otoo, Police Chief R. Longo, Town Solicitor N. C. Griffiths, Town Clerk M. Rivera, Town Manager A. Tantillo, and Finance Officer J. Helms.

- B. Pledge of Allegiance: All present recited the Pledge of Allegiance.

- 1. Moment of silence was held for Pearl Harbor Day.

- C. Recognition of Visitors: Nadia Townsend, New Castle County Councilman David Carter, Esther Glanding, Henry Glanding, Lisa Rites, Jerry Rites, Rob Allen, Sharon Handley, and Isha Smith

- D. Announcements:

- III. Citizens Comments & Participation

- 1. Mr. Glanding stated as a neighbor of 571 Walnut Rd. it looks presentable. Mr. Glanding reported there is a property behind his that has high grass and weeds. Mr. Glanding noted this property was taken care of by the Town in previous years and is concerned that it has not been take care of. TM Tantillo advised the Town is aware of this issue and has been addressing these concerns.
 - 2. Ms. Glanding reported DNREC issued a fine to the owner of 644 Cannery Lane regarding illegal construction and placement of an underground pipe. Mayor Lobdell noted the Town was made aware of the issue and that DNREC has handled the issue.
 - 3. Mr. Rites reported a stake was placed in his back yard and wanted to know if the Town is aware of who or why this was placed. Mayor Lobdell advised this has likely been done by the Developer of the property since they are preparing to turn over open space land to the Town. Mayor Lobdell explained prior to turn over the Developer must place stakes on the property lines to ensure there are no encroachments on the open space from the properties. Mayor Lobdell noted the stakes represent boarders where the property lines lie. Mr. Rites and Ms. Rites asked questions for further clarification. Mayor Lobdell provided explanations stating the open space will be turned over to the Town and the open space will remain the same. Additionally, the HOA (Homeowners Association) will be responsible for maintaining this area. Mayor Lobdell further explained the open spaces must remain the same as what was originally approved in the plans for the development. Mayor Lobdell noted property owners will be responsible for their

Town Meetings will return to both an in person and a virtual format.

Those wishing to attend virtually may dial **1(301)715-8592**. When directed, provide following meeting ID **827- 6421-7575#** and then the following password **361631#** to enter the meeting. If you choose to access the meeting online click the following link: <https://us02web.zoom.us/j/82764217575?pwd=aHI4RDhTZ0xiME1HV0ZOcHRxSHZ3QT09>

Residents will be able to view documents posted to the meeting tab on the Town website at www.townsend.delaware.gov or by joining the meeting via computer.

properties and the remaining open space will be maintained by the Homeowners Association.

- a. CM Mertz noted the HOA should be responsible for maintenance, currently. CM Mertz explained once development reaches 90%, then the HOA is responsible. NCC Carter noted this is State Law.
- b. Mr. Rites stated there are areas where there are overgrown weeds in the rear of his property. Mayor Lobdell advised for Mr. Rites to contact the Homeowners Association regarding this. TM Tantillo advised if Mr. Rites has any issues with the HOA or any other concerns, he may contact the Town for assistance.
- c. CM Mertz suggested Mr. Rites may refer to the original plans for the development to see how the open spaces should be maintained. CM Mertz explained there are different areas with different requirements. CM Mertz provided the example if there is a meadow grass area than this area will typically be longer. Mayor Lobdell explained in some instances there is a transition area between the woods and the property that may look like weeds but should be there. Mayor Lobdell noted there is specific vegetation that is planted in the open spaces. Mayor Lobdell clarified he is unsure specifically where Mr. Rites lives and how the area is to be maintained but the area could be a transition area.

IV. Adoption of Agenda.

- A. Mayor Lobdell stated the two action items under Land Use and Development Committee will be moved under the Town Managers section.
- B. CW Clarke announced she has an update to provide under the National Wildlife and Historic Preservation Committee.
- C. *CW Mertz made a motion to adopt the agenda. CM Dugan seconded the motion. Voice vote of council: all yeas.*

V. Approval / Rejection of Minutes

- A. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the October 5th, 2022, Town Council Meeting.
- B. **ACTION ITEM:** Approval/ Rejection of Revised Council Minutes from the October 19th, 2022, Town Council Special Meeting.
- C. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the November 2nd, 2022, Town Council Meeting.
- D. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the November 2nd, 2022, Town Council Meeting Executive Session.
- E. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the November 16th, 2022, Town Council Special Meeting.
- F. **ACTION ITEM:** Approval/ Rejection of Town Council Minutes from the November 16th, 2022, Town Council Special Meeting Executive Session.

1. Mayor Lobdell read the list of Minutes to approve or reject.

2. CW Rojas made a motion to approve the Minutes as read. CM Dugan seconded the motion.
3. CW Clarke noted she has read the minutes from the November 16th meeting but will abstain from this vote since she was absent.
4. Motion died.
5. *CW Rojas made a motion amend approval of the Minutes as read to approve the Minutes from the October 5th, 2022, Town Council Meeting, the Minutes from the October 19th, 2022, Town Council Special Meeting, the Minutes from the November 2nd, 2022, Town Council Meeting, and the Minutes from the November 2nd, 2022, Town Council Meeting Executive Session. CM Dugan seconded the motion. Voice vote of council: all yea's.*
6. *CW Rojas made a motion to approve the Minutes from the November 16th, 2022, Town Council Special Meeting and the Minutes from the November 16th, 2022, Town Council Special Meeting Executive Session. CM Dugan seconded the motion. Voice vote of council: all yea's. CW Clarke abstained.*

VI. Reports:

- A. Mayor Lobdell noted Council has received and read through the reports from the Police Chief, Town Engineer, and Town Manager prior to the meeting. Mayor Lobdell stated moving forward reports will no longer be read during the meeting; explaining the floor will be open to any questions under each section. The reports are filed with the minutes for this meeting.
- B. Mayor
 1. No report.
- C. Town of Townsend Police Chief's Report
 1. CM Mertz noted per the report that Body Worn Cameras are now operational. CM asked Chief Longo if policies need to be revisited for this equipment. Chief Longo advised this may need to be revisited at a later time but review is not needed.
 2. CM Mertz asked if the Digital Fingerprinting Machine that was received will allow for the Town to begin offer fingerprinting services. Chief Longo advised he prefers to wait for more building security updates to transpire before offering this type of service. Chief Longo clarified it will this service will not be offered to the public; however, it will be available for DSP (Delaware State Police) upon any arrests they perform within Townsend. Chief Longo noted Police are unable to fingerprint the public unless a crime is committed.
- D. Town Solicitor N. Christopher Griffiths
 1. Mayor Lobdell clarified that TS Griffiths will provide a report during the meeting each month.
 2. TS Griffiths provided the following summary:
 - a. TS Griffiths stated he spent the month dealing with various issues and preparing for public hearings.
 - b. TS Griffiths reported he assisted with special executive meeting minutes. TS Griffiths noted there was another special meeting that was held on

November 30th, in which the minutes were not listed for approval in today's meeting; they are forthcoming.

- c. TS Griffiths reported he assisted with two separate administrative issues. TS Griffiths noted TE Van-Otoo also assisted in one of these.
- d. TS Griffiths reported he assisted with variance, zoning, and violation issues. TS Griffiths noted the Town is aware of present issues occurring in the Town and is working on resolving them. Additionally, the Town is working with residents and developers on these issues.
- e. Ms. Glanding asked if Mr. Jennings owner of Oliver Jennings Construction and Townsend Realtor has a realtor's license with New Castle County. TS Griffiths advised he is unprepared to answer her question; however, ensured the Town makes sure everything is done properly in Town.

E. Town Engineer Edwin Van-Otoo

- 1. CM Mertz referred to item number four (Townsend Acres) on TE Van-Otoo's report, "The Developer previously informed RVE that the project is currently on hold. There is no additional information to report.". CM Mertz asked if this project will be subject to comply with any changes to the zoning ordinances that occur while the project is on hold. TM Tantillo advised they will be subject to comply to new changes if the project has not been approved until after the new changes are in affect. TE Van-Otoo noted the project has not been approved. CM Mertz asked if compliance is required if a zoning ordinance change occurred while the project was on hold, and the project is not approved. TE Van-Otoo explained if the project is on hold and not approved the developer would need to comply with the zoning ordinance change and may need to resubmit the project with updated changes to comply for approval.
 - a. TS Griffiths advised in some Town Ordinances there is sunsetting provision that allows for projects such as this to be referred to as locked in upon submission for approval. TS Griffiths noted typically this will be allowed once per the Town Ordinance of other Towns.
- 2. CW Clarke referred to item number two regarding the dedications to occur in Townsend Village II that will occur in the year 2023. CW Clarke asked if there is a specific timeframe, such as Fall or Spring. TE Van-Otoo asked if CW Clarke if she is referring to the open spaces. CW Clarke confirmed. TE Van-Otoo advised this depends on how soon germination transpires and the condition of the site. TE Van-Otoo noted he is hopeful for this to develop in the spring. CW Clarke noted this has been an ongoing process over a long period of time and a timeline was never provided. TE Van-Otoo advised work on the basins is required but can only happen during specific times of the year such as, spring or fall. TE Van-Otoo referred to the representative of the Developer, Rob Allen noting his team faced issues with work completion.
 - a. Representative of the developer, Rob Allen clarified there were no issues with the basins at Townsend Village II. Mr. Allen explained the issues they

are currently facing are with encroachments for instance, fences and sheds in these open spaces. Mr. Allen explained until these encroachments are resolved he is unable to turn this over to the Town. Additionally, he noted one of the fences and shed that has encroached in open is blocking the drainage correction that belongs in the open space.

3. CM Mertz noted the streets have been separated from the roads and there will be a discussion later in the meeting regarding approval of this dedication to the Town. CM Mertz asked if TE Van-Otoo did a walkthrough of both TV I (Townsend Village I) and TV II (Townsend Village II). TE Van-Otoo confirmed it was done and noted CM Dugan was present for the walkthrough.
4. **ACTION ITEM:** Discussion regarding pole barn site plan.
 - a. TM Tantillo asked if Council would like to move forward with her report prior to this item. All agreed.

F. Town Manager Antonina Tantillo

1. CM Mertz thanked TM Tantillo and Town personnel for painting the curbs as discussed in prior meetings. CM Mertz asked if letters have been sent to residents regarding the painting and updates. TM Tantillo stated she is waiting for all work to be completed prior to letters being sent. TM Tantillo explained that there has been set back due to weather conditions, however work is being continuing.
2. CM Mertz asked if there is a grant that the Town may apply for to obtain trees per the original plans of TV II (Townsend Village II). TM Tantillo confirmed she did perform some research last year and advised there are grants, as well as various programs the Town may be applicable for. TM Tantillo noted as discussed with Council previously, UD IPA (University of Delaware Institute of Public Administration) may also be able to assist with pursuing grants for this. TM Tantillo stated she will reach out to UD IPA to see if this is still available. NCC Carter advised there are grants available that the Town may apply for and is available to assist the Town with help on how to apply.
3. **ACTION ITEM:** Discussion regarding pole barn site plan.
 - a. TM Tantillo stated scoping out of the pole barn as discussed, 60' by 40', to be placed on Town property located on South Street. TM Tantillo reminded Council that it was previously two parcels and has been merged as one parcel. TM Tantillo noted this site (referring to the map of the pole barn site plan) is also where the Townsend Police Department is currently located. TM noted there are concerns with placing the pole barn at this site. TM Tantillo explained the Town is continuing to grow with the incoming development and peaked interest of unincorporated residents seeking to be incorporated with the Town. TM Tantillo noted with this growth, over time, the Police Department will also need to grow. TM Tantillo stated her concern will be when the expansion of the Police Department will occur if the pole barn is in them same location. TM Tantillo confirmed as mentioned previously that the pole barn will fit in this location currently, with the current police department.

- b. TM Tantillo stated she has identified seven to nine other parcels. TM Tantillo advised she believes the Town may be interested in purchasing additional land to put the pole barn on. TM Tantillo requested Council's approval to move forward with scoping out these parcels and to scope out the Town's Finley Street location. TM Tantillo expressed there is a concern for wetlands at the Finley Street property; however, TE Van-Otoo and herself are looking into the feasibility for how much development can occur on this land.
- c. CW Rojas asked what the current timeline would be for this pole barn project because ARPA (American Rescue Plan Act) funds are being used. TM Tantillo confirmed ARPA funds must be obligated by the year 2024 and spent by the year 2026. TM Tantillo explained she would like to proceed, with continuing to scope out the pole barn site, but it would be dependent on the current property owners. TM Tantillo advised, with Council approval, she would like to have further information to be presented at the February Town Council Meeting. TM Tantillo noted she will have updates prior to presentation.
- d. TE Van-Otoo referenced the pole barn site plan that was presented and noted, development, is feasible and will fit. However, with the Town's continued growth, advised it would be best to use the monies granted towards finding a better location. TE Van-Otoo suggested the presented pole barn site should be considered as a last resort if the Town is unable to find another. TE Van-Otoo explained he has expressed his concern over placing the pole barn at this site because the boundaries are restricted.
- e. CW Rojas requested for TM Tantillo to scope out the Finley Street property first. TM Tantillo confirmed she has been looking into this. CW Rojas requested TM Tantillo to proceed with looking at other properties after and report back regarding the process for purchasing. TM Tantillo confirmed TE Van-Otoo and herself are looking into this as well.
- f. CW Mertz asked for clarification on where the Finley Street property is located, noting it is by Townsend Station. TM Tantillo confirmed he was correct and stated it is behind the proposed pole barn site that was presented.
- g. Ms. Glanding asked what the pole barn will be used for. TM Tantillo confirmed it will be for the Public Works Department. CM Dugan explained that it will be used for maintenance vehicles, lawn mowers, police cars, and things of this nature.
- h. CM Mertz asked for TM Tantillo to clarify with the expansion of the Police Department if she is referring to a possible building expansion. TM Tantillo confirmed this is a possibility and stated the first priority is the pole barn. TM Tantillo noted at this time the Police Department is a small staff but will eventually need to expand as the Town grows.
- i. TE Van-Otoo noted close to the proposed pole barn site there is a large residential development called The Wood at Hidden Creek which is currently underway. TE Van-Otoo advised for Council to keep this in mind when considering the placement of the pole barn to be at this proposed site. TM

- Tantillo noted TE Van-Otoo and herself want to ensure the Town is making a smart decision for the future of the Town. CW Rojas agreed with TM Tantillo and TE Van-Otoo, advising with the proposed growth of these developments the Town needs to ensure the Police Department also has room to expand.
- j. CW Clarke asked if a pole barn is still the best option or if the Town should look into another type of development for the Public Works Department. TM Tantillo explained the pole barn is a good solution since it will be outfitted with plumbing, electric, and such. TM Tantillo noted Public Works needs the space to perform work on machinery, vehicle maintenance, and other tasks similar to a workshop. Mayor Lobdell noted pole barns are very customizable and can include second floors.
 - k. Mayor Lobdell noted there is no vote need for TM Tantillo to proceed with scoping out the site for the pole barn and updates should be provided by the February Town Council Meeting.
4. ACTION ITEM: Discussion and possible vote on Resolution 2022-026, A Resolution to Accept Dedication of Specified Streets within Townsend Village I.
 5. ACTION ITEM: Discussion and possible vote on Resolution 2022-027, A Resolution to Accept Dedication of Specified Streets within Townsend Village II.
 - a. TM Tantillo stated Resolution 2022-026, A Resolution to Accept Dedication of Specified Streets within Townsend Village I, has been prepared. TM Tantillo referred to the deed attached to the resolution, Exhibit A, and listed the following streets that will be turned over to the town: Helen Drive, Edgar Road, and Kaitlyn Drive.
 - b. TM Tantillo stated Resolution 2022-027, A Resolution to Accept Dedication of Specified Streets within Townsend Village II has been prepared. TM Tantillo referred to the deed attached to the resolution, Exhibit A, and listed the following streets that will be turned over to the town: Esch Street, Ginn Street, Gray Street, South Street, and Barcus Court.
 - c. TM Tantillo noted all streets have been reviewed and are ready for turnover.
 - d. Mayor Lobdell asked TS Griffiths if a discussion is appropriate prior to a motion for each of the resolutions presented. TS Griffiths confirmed Council may proceed with discussion. Additionally, separate motions and votes will be needed. Mayor Lobdell asked is a general discussion on both items would be appropriate. TS Griffiths advised it would be appropriate since both pertain to one another. TS Griffiths noted the typical procedure for a resolution is to make a motion, questions, comments, and then vote.
 - e. CM Mertz expressed his continued concern and noted he has asked the following question at previous meetings. CM Mertz asked what keeps the developer from walking away without completion of the open spaces. CM Mertz noted the resolutions separate the streets from open spaces. CM Mertz explained his concern is due to the Towns previous history of Developers walking away from a project in similar instances, clarifying this is no reflection on Mr. Allen. CM Mertz noted the Town has had to assume

significant costs to complete work or maintain open spaces and streets in the past. TM Tantillo explained there are several types of bonds in place for these areas. TM Tantillo noted Mr. Allen has shown to uphold their agreements and has several other businesses performing work within the Town. Mayor Lobdell noted Developers do not want their bond to be pulled as it will affect their rate of approval to obtain another bond by the bank. TM Tantillo explained discussions have been held with Mr. Allen the final decision was to dedicate the streets since they are ready to go and to hold onto the open spaces to complete work.

- f. CM Mertz asked by pulling the bonds, this is how the Town can hold the Developer accountable for not completing work they agreed to finish. CM Dugan confirmed.
- g. Mr. Allen confirmed germination is what is holding up most of the work needed for the open spaces. Additionally, they have contracted with another company to maintain the ponds in Townsend Village I and II. Mr. Allen noted they have hired contracted with another company to perform minor grading correction in the open space of South Street, where there is an encroachment issue. Mr. Allen confirmed germination in the open spaces should be completed in the Spring.
- h. Ms. Townsend asked if it is only one fence that is encroaching on open space. Mayor Lobdell explained that Mr. Allen is determining how many fences encroach on the open space by having his engineering contractor stake out the property lines.
- i. Ms. Rites asked who placed the stakes on the properties. TM Tantillo confirmed the Developer owns the property, so they and their contractors were the ones who placed the stakes. Mr. Allen confirmed they hired an engineer to survey the property. Additionally, if there is a stake on the property it is likely there is an encroachment or to assist the engineer in noting if there are surrounding encroachments. Mr. Allen explained anyone who has an encroachment has received a letter by him with his contact information.
- j. Mayor Lobdell noted he does not have a fence or any encroachments from his property and has stakes on his property as well.
- k. CM Mertz asked if TV I (Townsend Village I) has encroachments as well. Mr. Allen confirmed there are.
- l. Mr. Rites asked if a contractor is supposed to apply with the Town for a fence permit. Mayor Lobdell confirmed the Town will approve the permit however, it is up to the contractor to install the fence correctly and in accordance with the plans that were approved by the Town. Mayor Lobdell explained the contractor is supposed to install the fence exactly where they stated it was to be installed and if it is not than it was done incorrectly. CM Mertz noted homeowners also have the ability to install the fences themselves. Mr. Rites asked if the contractor will be held responsible if they installed the fence incorrectly. TS Griffiths advised this is something that will have to be taken

up between the owner and the contractor. TS Griffiths noted contractors will typically perform a survey of the property prior to installment to ensure no such issues will arise.

- m. Ms. Rites asked if the inspector approves permit work completed who will be held responsible, the contractor or the inspector, if it is not installed in the appropriate location. TS Griffiths confirmed the inspector is only checking for the safety of the fence that has been installed.
- n. Ms. Townsend noted some owners, like her neighbor, had received incorrect survey plans at closing which may have been used for the permit. Ms. Townsend explained it was only recently when a survey was completed that her neighbor found out the original survey plan was incorrect.
- o. CM Mertz asked if the resolutions needed to be read before making a motion. TM Tantillo advised a title reading has already been provided, therefore a reading is not required.
- p. *CM Mertz made a motion to approve Resolution 2022-026, A Resolution to Accept Dedication of Specified Streets within Townsend Village I. CM Dugan seconded the motion.*
 - i. *Roll Call Vote of Council: CW Clarke- yea, CM Dugan- yea, CM Mertz- yea, CW Rojas- yea.*
- q. *CM Dugan made a motion to approve Resolution 2022-027, A Resolution to Accept Dedication of Specified Streets within Townsend Village II. CW Clarke seconded the motion.*
 - i. *Roll Call Vote of Council: CW Clarke- yea, CM Dugan- yea, CM Mertz- yea, CW Rojas- yea.*

6. **ACTION ITEM:** Discussion and possible vote regarding TAP Grant and match.

- a. TM Tantillo advised final decision for the TAP Grant and match is not need for today but would like to open up discussion. TM Tantillo reminded Council that she has been working with the Town Engineer on applying for the TAP Grant. TM Tantillo explained it is a transportation grant that focuses on sidewalks and improving the walkability by implementing the WILMAPCO walkability study that was done in the year 2021. TM Tantillo stated she worked alongside TE Van-Otoo and DeIDOT to walk the Town and determine needs for sidewalks. TM Tantillo noted there are areas that do or do not have sidewalks, as well as placement of utility poles on streets rather than on a sidewalk. Additionally, ensuring items are ADA compliant. TM Tantillo explained these concerns and other were included in the grant application such as increasing walkability for two areas. One area is on the railroad by Railroad Ave and Wiggins Mill Road. The other area is for two parcels behind the Town Park, to possibly purchase.
- b. TM Tantillo stated the TAP Grant application rounded out to about \$1,000,000.00 to complete the work. TM Tantillo explained DeIDOT provided notice that they were excited to receive the Town's application and have received many others. TM Tantillo stated DeIDOT is seeking to know how much the Town is willing to match funds between the range of \$30,000.00-

\$60,000.00 towards this project; noting this would be a 20% match. Additionally, DeIDOT will advise how much they will match once the Town provides an answer to how much funds will be provided. TM Tantillo explained DeIDOT has stated they will likely be providing Engineering and Administrative support as well which means the match from DeIDOT may be more than the total dollar amount provided. TM Tantillo advised because of the provided support the Town will be receiving more assistance.

- c. TM Tantillo explained she understands match funding in the amount of \$30,000.00-\$60,000.00 is a high ask, however she believes there are many solutions the funding may provide a resolution for. TM Tantillo stated the Town has Municipal Street Aid funds that are used for plowing, street repairs, and similar items. TM Tantillo explained the Town had initially obligated some funds from the Municipal Street Aid funds in the amount of \$94,000.00 for the Surface Water Planning Grant Project. TM Tantillo noted with the recent second DNREC Grant approval towards the Surface Water Planning Grant Project the Town was able to reserve about \$25,000.00 back to the Municipal Street Aid Funds to use for other street related projects. TM Tantillo advised the TAP Grant Project will take place over a couple of years.
- d. TM Tantillo advised between MSA (Municipal Street Aid) funds and ARPA (American Rescue Plan Act) funds the Town does have the ability to fund the full amount. TM Tantillo clarified Council does not have to approve the full \$60,000.00 match requested by TAP and may put a limit on the amount funded or Council may continue to discuss funding further.
- e. CM Mertz noted TM Tantillo mentioned ARPA funds and asked if these funds are eligible to apply towards the TAP Grant. TM Tantillo confirmed they are because of the revenue loss that the Town will be selecting.
- f. CM Mertz asked if DeIDOT is giving the Town the opportunity to prioritize the budget items for the project. TM Tantillo confirmed this was done on the application. TM Tantillo reminded Council the Town is aware of the railroad. TM Tantillo explained DeIDOT has advised the Town this item will take at least a decade to come to an agreement; however, to continue adding this item to the application so the effort is seen from the Town. CM Mertz noted the Town may continue to prioritize the railroad item and TAP may not be able to connect TV (Townsend Village) II West to the rest of the Town. TM Tantillo clarified she did not say it was impossible however, TAP will continue to look into this. TM Tantillo explained construction for this may not happen at this time. Additionally, DeIDOT will continue to work with the Town on what items they will be able to fund
- g. CM Mertz asked what the top three items TM Tantillo were prioritized on the application. TM Tantillo stated the repair of sidewalks, building of new sidewalks, and the purchase of land.
- h. Mayor Lobdell asked if this is in coordination with the studies that are currently taking place. TM Tantillo confirmed that the application was made in coordination with the WILMAPCO walkability study and the Towns

Comprehensive plan. Furthermore, DeIDOT is continuing studies such as the current pedestrian study.

- i. CW Rojas noted the Town is looking at seven to 10 years for the railroad project and sought clarification from NCC Carter if this will be the same timeline for the completion of the park by the railroad on Wiggins Mill Rd. NCC Carter advised reforestation for the park will likely be seven to 10 years however, trails will be less than the time frame. NCC Carter stated New Castle County has purchased 12,000 trees that will be planted in April and will an annual purchase. CW Rojas stated she is concerned with a long timeframe to connect Townsend Village II West and the Town. TM Tantillo advised she will continue to look for other funding opportunities for this item, as well as contacting DeIDOT.
 - j. CM Mertz asked if the match for the Town's obligation has always been 20% of what TAP will fund. TM Tantillo confirmed and advised DeIDOT is also working on adding a safe route to the school as well. TM Tantillo clarified Council still has time to decide how funds will be matched and explained DeIDOT only needs to know what the range is that the Town is willing to fund.
 - k. CW Clarke asked for clarity on the three priorities TM Tantillo provided noting only sidewalk and real estate were stated. Mayor Lobdell noted the railroad is another priority that has been specified. TM Tantillo clarified she is unaware at this time what DeIDOT has prioritized on their end for funding, explaining the first step to decide is funding.
 - l. Ms. Glanding asked what the plans for Railroad Avenue are and how it will be fixed. TM Tantillo explained the Town is unaware of the details at this time but is seeking to connect Townsend Village II to the Town. Ms. Glanding asked why this was not done during development of the properties. Mayor Lobdell advised this it is a DeIDOT road. NCC Carter noted railroads are a federal organization making processes a bit more difficult.
 - m. CM Mertz made a recommendation to make a motion with a range based on availability of funding. TS Griffiths advised a floor motion is sufficient if that is what TAP is requiring. TM Tantillo advised to make the motion to state approval of funds up to \$60,000.00 to be revisited at a later time based on funding.
 - n. *CM Mertz made a motion to authorize TM Tantillo to confirm with DeIDOT that the Town will match up to \$60,000.00 contingent upon funding sources for the match. CW Rojas seconded the motion. Voice vote of council: all yeas.*
7. **ACTION ITEM:** Discussion and possible vote regarding quotes for solar radar signs.
- a. TM Tantillo reminded Council Townsend Village HOA had reached out to Representative Spiegelman's office to obtain funding to install solar radar signs. TM Tantillo explained she has reach out to numerous vendors to obtain quotes and provided a brief description of the quotes received. TM Tantillo stated she has reached out to five different vendors for six signs. TM

Tantillo explained she has quotes from each for signage only, signage including remote data collection, and signage including USB data collection.

- i. Foley Cat: signage only is \$47,040.00, with remote data collection the total is \$68,840.00, and with USB Data collection the total is \$62,610.00.
- ii. United Rentals: signage only is \$52,128.00, with remote data collection the total is \$80,124.00, and with USB Data collection the total is \$72,024.00.
- iii. National Capital: signage and data collection for \$53,441.78.
 - a) CM Mertz noted the signs provided from this vendor are WANCO. TM Tantillo confirmed.
- iv. TM Tantillo explained the vendor Grainger is a Sourcewell State procurement vendor. TM Tantillo stated the price for signage only is \$18,329.80, with remote data collection the total is \$36,330.00, and with USB Data collection the total is \$21,858.00.
 - a) CM Mertz asked for clarification on the pricing for two types of data collection. TM Tantillo advised they are listed on each of the quotes provided from Grainger.
 - b) CM Mertz noted it states there is a lifetime cloud service and asked if this means the Police will be able to drive up and collect data. TM Tantillo confirmed this is correct and noted she reached out to Grainger seeking further information for the lifetime cloud. TM Tantillo advised she was informed the lifetime is for seven years. Additionally, if the signs are in good service the lifetime cloud service can be reinstated.
 - c) Mayor Lobdell asked if it would cost \$18,000.00 again to reinstate. TM Tantillo advised she is unaware if in seven years the price will remain the same as the current price, but the Town would need to pay to reinstate.
 - d) Ms. Glanding asked if the signs will be insured for vandalism. TM Tantillo confirmed they will be covered under the Town's insurance.
 - e) CM Mertz asked if the Bluetooth Data Collection and Lifetime Cloud need to be purchased together. TM Tantillo stated no. CM Mertz noted the Lifetime Cloud will require Wi-Fi service and the Bluetooth Data Collection will require a representative of the Town, like Chief Longo to drive up to the sign to download the data.
 - f) CW Clarke asked if the Lifetime Cloud is a remote data collection. TM Tantillo confirmed and advised each vendor uses different terminology.

- e. CM Mertz asked how much funds the Town will be receiving from this grant. TM Tantillo reminded Council they have been preapproved for up to \$40,000.00 from Representative Spiegelman's Office.
 - f. CM Mertz asked if DelDOT approval is still needed prior to purchasing the signs. TM Tantillo confirmed approval is still needed.
 - g. CM Mertz made a motion to approve the Radarsign quote for \$29,495.00 according to the allocation request that was approved at the November 2nd meeting. CM Dugan seconded the motion. Voice vote of council: all yeas.
 - h. Motion Died.
8. **ACTION ITEM:** Discussion and possible vote regarding placement of solar radar signs.
- a. TM Tantillo referred to the map regarding placement of solar radar signs and advised Council she worked with TE Van-Otoo and Chief Longo to create the map presented. TM Tantillo explained they reviewed areas of concern and used Chief Longo's data collection on traffic to make their decisions. TM Tantillo noted the recommended sign placements are numbered one to seven; however, Council will have to choose only six at this time. The following recommended locations are as followed: C#1 southbound on South Street, C#2 northbound on South Street, C#3 northbound on Edgar Road, C#4 southbound on Edgar Road, C#5 southbound on Ginn St, C#6 northbound on Brook Ramble Lane, and C#7 southbound on Edgar Road. TM Tantillo stated there are other unmarked locations throughout the old part of Town and unowned Town roads that are areas of concern.
 - b. CM Mertz asked if the Town has additional funding would there be an opportunity to add a sign. TM Tantillo stated she will ask. TM Tantillo asked if CM Mertz would like to amend his motion to not exceed \$40,000.00.
 - c. *CM Mertz made a motion to vacate the old motion and create a new motion stating the approval of the Radarsign quote for up to and including the \$40,000.00 expenditure. CM Dugan seconded the motion. Voice vote of council: all yeas.*
 - d. TE Van-Otoo noted most of the signs are in a development and advised he believes there are other signs that will be needed on DelDOT roads. TE Van-Otoo advised if Council places signs in the main thoroughfares, it will help grab people's attention. Additionally, Council should reach out to DelDOT on placing radar signs on their roads within Town. TE Van-Otoo noted he has seen Townsend Police and Town personnel performing various types of activities on DelDOT owned roads, advising the Town to start forming a partnership. CM Mertz asked TE Van-Otoo to list the streets that are DelDOT owned. TE Van-Otoo stated the following: Main Street, Caldwell Corner Road at the end of Main Street, South Street going south of Main Street, and Commerce Street going south of Main Street. CM Dugan stated Railroad Ave is also a DelDOT road. CM Mertz stated Wiggins Mill Road is another DelDOT road. TE Van-Otoo advised placement for the signs on these roads were discussed however, their first priority was going through the Town to review

high speeding areas such as South Street and Edgar Road. TE Van-Otoo advised having a combination of signs on DeIDOT and Town owned roads will assist with less speeding throughout other areas of Town.

- e. TS Griffiths advised he has reached out to DeIDOT on behalf of Council and was informed by the representative to report back to them regarding any proposed signs on DeIDOT roads.
- f. Chief Longo advised in his time working as Chief of Police in Sussex they placed signs temporarily on poles. Chief Longo explained they purchased two signs and with the help of their representative were able to have DeIDOT install them on their roads.
- g. Chief Longo strongly encouraged Council to reach out to DeIDOT with proposed placement of signs on their roads to show the Town has been proactive.
- h. CM Mertz asked if the pins noted on the map are only for roads in Town. TM Tantillo confirmed, advising they knew the Town is currently able to put them in these locations. TM Tantillo noted Ms. Townsend also assisted with getting funding for this area. TM Tantillo reminded Council as mentioned by TE Van-Otoo and Chief Longo have stated they did not want to overcrowd the signs.
- i. TM Tantillo noted signs one and two are on South Street in TV (Townsend Village) II where there is a major concern for people speeding. Mayor Lobdell noted these signs would be across the street from one another. TM Tantillo advised they are facing opposite directions.
- j. CM Mertz referred to other signs on the map and asked if there is a possibility to place signs on the same side of the road. TM Tantillo advised she does not believe they would be able to place them on the same side facing opposite directions. Chief Longo agreed with TM Tantillo and advised against placing them on the same side facing opposite directions. CM Mertz advised he is concerned regarding placing these signs in front of people's houses. Mayor Lobdell advised he received negative feedback from residents regarding placement of signs in front of their homes. TM Tantillo advised the proposed sign placements are not directly in front of people's house but are in right of ways. TM Tantillo noted they will be angled in a way that the light should not affect the houses.
- k. CM Mertz referred to the signs on the map and agreed with the following placement of recommendations: one and two in TV (Townsend Village) II, Townsend Station, and Edgar Road. CM Mertz recommended to follow the suggestions of attempting to place four signs on DeIDOT roads: Main St, Caldwell Corner Road, South Street, and Commerce St. CM Mertz advised if the Town is denied placing signs on DeIDOT roads to follow the presented map. CM Mertz noted the signs have been numbered in order of high concern to least concern.

on looking into upgrading Townsend's Sewer Agreement. NCC Carter advised the Town to look into this from an engineering perspective over land use. NCC Carter advised if the Town were to build their own Sewer System it may be costly. Ms. Townsend asked what the benefits of this would be. TM Tantillo advised it would assist with controlling growth and a revenue opportunity for the Town. TS Griffiths asked if New Castle County is willing to negotiate with the Town when the current contract expires. NCC Carter confirmed.

VII. Committee Reports

A. **Finance Committee:** Chair: Councilman Dugan, Co-Chair: Mayor Lobdell

1. Review and possible discussion on the October 2022 Budget vs. Actual Reports.
 - a. CM Mertz asked if the Town is on Budget. FO Helms confirmed the Town is on target with expenses and over on revenues in the General Fund, noting this is good.
2. **ACTION ITEM:** Discussion and possible vote regarding Resolution 2022-025 A Resolution to Revise the 2023 Fiscal Year Budget
 - a. FO Helms advised the Town needed to go over a second revision of the 2023 Fiscal Year Budget. FO Helms provided a brief review of the following changes to the General Fund:
 - i. There were increases in grant revenue of \$24,100.00 for the additional Surface Water Grant funding and \$4,000.00 for the Sustainable Community Grant, noting this has been offset by an increase of \$24,100.00 to the Professional Fees Study Budget and \$4,000 to the Capital Expense Budget.
 - ii. There was an increase in revenues of \$6,600.00, which is the remaining portion of the Route 71 Capital Project. FO Helms advised these remaining funds are able to be applied to another capital project which has caused the increase to the Capital Expense Budget.
 - iii. There is an increase in the benefits for health, dental, and vision budget to \$10,200.00 and a decrease in \$10,200.00 in the salaries budget.
 - iv. FO Helms advised due to the use of ARPA (American Rescue Plan Act) funds were used for the holiday bonuses the original allocated amount of \$3,500.00 were able to be allocated to line amounts. FO Helms stated these accounts included: \$2,750.00 for legal and \$750.00 for Community Engagement activities.
 - b. FO Helms advised there were two changes to the Police Department fund:
 - i. The Holiday Bonus Budget was decreased by \$1,700.00 and moved this amount to the Building Expense Line.
 - ii. The state will be reimbursing the Town for the Body Worn Cameras that were purchased over the next five years. FO Helms explained to account for the first payment the Police Revenue needed to be

increased by \$3,900.00 and the Capital Expense Budget was increased by \$3,900.00.

- c. CW Clarke asked if the benefits increase came through Council or if it was a Committee decision. TM Tantillo advised it is not an addition of benefits. CM Dugan clarified it is a premium increase. TM Tantillo advised administratively line items may be changed without Council approval; however, changes in salary requires Council approval. CW Clarke asked if this increase is being driven by the Insurance Company. TM Tantillo confirmed it plays a role.
- d. TM Tantillo noted the copy presented is incorrect. TM Tantillo advised the overview provided by FO Helms is correct and so is what has been posted to the website.
- e. FO Helms provided a title reading of Resolution 2022-025 A Resolution to Revise the 2023 Fiscal Year Budget.
- f. *CM made a motion to approve Resolution 2022-025 A Resolution to Revise the 2023 Fiscal Year Budget. C* seconded the motion.*
 - i. *Roll Call Vote of Council: CW Clarke- yea, CM Dugan- yea, CM Mertz- yea, CW Rojas- yea.*

3. TM Tantillo noted she will be sending an email shortly requesting for Department Heads and Committee Members to submit their budget requests for the upcoming fiscal year by the middle or end of January.

B. Human Resources Committee: Chair: Mayor Lobdell, Co-Chair: Councilman Dugan

1. No reports.
2. CM Mertz asked if the Town has posted advertisements for the open part-time administrative position. TM Tantillo advised she is waiting to post in January.

C. Public Works Committee: Chair: Councilman Dugan, Co-Chair: Councilman Mertz

1. CM Mertz noted the only item to report was previously discussed in the Town Managers report regarding curb painting.

D. Land Use and Development Committee: Chair: Councilwoman Rojas, Co-Chair: Mayor Lobdell

1. Action items were moved up under the Town Manager report.
2. CW Rojas requested links to the recordings so she may listen at her leisure.
3. CM Mertz noted Council received an email regarding a discussion needed for LifeHouse Church. TM Tantillo advised LifeHouse Church has submitted a revised site plan application. TM Tantillo explained the Planning Commission met on Monday, December 4th to discuss and perform a preliminary review. TM Tantillo advised LifeHouse Church will be presenting at the next Town Council meeting. TM Tantillo explained after this process she will inform if LifeHouse needs to make any changes. TM Tantillo explained prior to the next steps in review she will review the application administratively and will then forward to the following representatives: the Planning Commission, the Town Engineer, and the Fire Chief to review.

E. Veterans Committee: Chair: Councilwoman Clarke, Co-Chair: Councilwoman Rojas

1. CW Clarke reacknowledged that it was Pearl Harbor Day and noted it is also Delaware Day.
2. CW Clarke thanked CM Mertz and Mayor Lobdell for the moment of silence for Pearl Harbor Day
3. Debrief regarding Veterans Day Event.
 - a. CW Rojas stated it was a nice event and the Committee had to make a last-minute change due to the weather. CW Rojas noted there was not a dry eye in the house.
 - b. TM Tantillo noted there were a lot of Veterans who attended the event and shared their personal stories, as well as strong support from the Cub Scouts.

F. Public Safety Committee: Chair: Councilman Mertz, Co-Chair: Councilwoman Clarke

1. CM Mertz advised the Public Safety did not meet in the past month and noted the Townsend Deputy Fire Chief Gilchrist has submitted his formal report regarding parking concerns. CM Mertz noted this should be published public soon. TM Tantillo confirmed.
2. Update regarding parking concerns as advised by Townsend Fire Department Deputy Fire Chief Gilchrist.
 - a. CM Mertz explained Town personnel went around to see if there are any areas where the fire truck may not be able to get through. CM Mertz noted this is why there are some areas where the curbs are painted yellow. CM Mertz advised the Town Manager has already addressed the most urgent areas of concern and will continue to refer to the report.
 - b. TM Tantillo advised the Deputy Fire Chief Gilchrist expressed verbally and in the report that they are just suggestions from the Fire Department. TM Tantillo stated she was present with the Fire Department to perform tests on how the fire truck fit through on Wiggins Mill Road. TM Tantillo explained the tests performed were to determine the best course of action on where to paint without decreasing the amount of parking spaces and ensuring safety.
 - c. TM Tantillo stated work should be completed before winter is in full effect and letters sent out to residents notifying them of these changes shortly after.
 - d. Ms. Townsend asked if Esch Street has been completed. TM Tantillo advised fire hydrants may have been painted but this area has not been made a priority for additional curb painting at the moment. CM Mertz clarified that it has been discussed and believes the report submitted by the Deputy Fire Chief Gilchrist will have a suggestion. Ms. Townsend advised she has received feedback from residents and will forward this information to the Town in writing. TM Tantillo advised these may be submitted anonymously but the Town is open to any and all feedback.

- e. CW Clarke asked if Council received a map regarding placement of stop signs. CM Mertz clarified it was a list that Council requested. TM Tantillo advised she will resend the list to Council.

G. Community Engagement Committee: Chair: Councilwoman Rojas

1. CW Rojas noted the DVSA Food Drive was completed recently. TM Tantillo advised that there was one full large bin that was picked up.
2. Discussion regarding an update on future Town Events.
 - a. CW Rojas stated the Tree Lighting and Caroling Event will be taking place over the weekend and requested help from members of Council to begin set up between 3:00 – 3:00 pm. CW Rojas noted Paul DiMartino (Public Works Supervisor), Chief Longo, and TC Rivera will be present to help. CM Mertz advised he will be able to help close the event. CW Rojas noted Chief Longo will be bringing Santa to the park. Additionally, Santa will be bringing an elf to help.
 - b. CW Rojas announced she is working with Sylvan Learning Center of Middletown who will be holding a mock SAT for the class of 2024 and 2025 Townsend Residents on February 17th. CW Rojas advised a flyer will be released soon.
 - c. CW Rojas announced the Town is collecting for the Our Daily Bread Food Drive and the 3 Palms Zoo Drive. TM Tantillo noted the Town will have bins setup for the Daily Bread Food Drive and Toys for Tots at the Tree Lighting and Caroling Event.
 - d. CW Rojas announced the Town Fair date has been changed to June 3rd which will allow her more time to work the event. CW Rojas explained the fair will include a Strawberry Festival, a Lil' Mister and Lil' Miss Strawberry contest, and a strawberry pie eating contest. CW Rojas advised she has updated vendor and parade forms. Additionally, the flyer will be posted in January. CW Rojas requested for Council to reach out to vendors, bands, etc. for the event.
 - e. CM Mertz advised there is an upcoming fundraiser December 11th for a Middletown Officer who has brain cancer. CM Mertz noted he attended the Back-to-School Event for the Town and would like for anyone able to, to show their support. CM Mertz explained the Officer will be announcing his retirement on the same day and will have a Walk Out as part of the event.
 - f. CW Rojas announced she will be working on the next Newsletter which will cover January, February, and March. CW Rojas requested if anyone has any suggestions to email them to her. CW Rojas noted this will be released in the first week of January.
 - g. TM Tantillo advised Council to encourage their neighbors and people in the community to participate in the Town's little library; which has been going well. TM Tantillo advised a note will be added to the Town's newsletter on respecting the little library. NCC Carter advised there is a program the Town may reach out to for book donations.

H. Code Review Committee: Chair: Mayor Lobdell, Co-Chair: Councilman Mertz

1. Mayor Lobdell advised review continues on the Town's Charter and the recommendation will be brought to Council prior to moving forward with the Town's Code, noting this will be happening soon.
2. TS Griffiths advised once the committee finishes reviewing the Town Charter to begin with review of the Building Section in the Town Code first. TM Tantillo noted the Planning Commission has been reviewing the Town's Zoning Code.

I. National Wildlife and Historic Preservation Committee: Chair: Councilwoman Clarke, Co-Chair: Councilman Dugan

1. CW Clarke stated the committee has received recertification for 2022 from the National Wildlife and is in favor of continuing the program for 2023. Mayor Lobdell agreed to continue. TM Tantillo stated she will begin drafting the resolution proclamation for the Mayor's Monarch pledge for 2023.
2. CM Mertz suggested for the newsletter to include a section on how to build a butterfly garden. TM Tantillo confirmed there is something already prepared for this noting CW Rojas can determine when to post this.
3. CW Clarke stated she has reached out to NCC Carter on starting discussion on establishing historical markers for properties in Townsend. Additionally, she is working with the Public Archives and the University of Delaware to obtain information.

VIII. Adjournment.

- A. CM Mertz wished everyone a Merry Christmas and Happy Holiday's.
 - B. *CM Mertz made a motion to adjourn the meeting. CM Dugan seconded the motion. Voice vote of Council: all yeas.*
 - C. *Meeting adjourned at 10:22 pm*
-